

MINUTES  
BOARD OF SUPERVISORS  
COUNTY OF YORK

Regular Meeting  
June 3, 2003

7:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 7:00 p.m., Tuesday, June 3, 2003, in the Board Room, York Hall, by Chairman James S. Burgett.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zarembo, Sheila S. Noll, Donald E. Wiggins, James S. Burgett, and Thomas G. Shepperd.

Also in attendance were James O. McReynolds, County Administrator; and James E. Barnett, County Attorney.

Invocation. Miss Courtney Rosso, York County Youth Commission, gave the Invocation.

Pledge of Allegiance to the Flag of the United States of America. Chairman Burgett led the Pledge of Allegiance.

**PRESENTATIONS**

EMPLOYEE RECOGNITION PROGRAM

Chairman Burgett congratulated Mrs. Beverly M. Williamson, Department of Community Services, on her 20 years of employment with the County and presented her with a certificate and a 20-year service pin acknowledging the occasion.

YORK COUNTY YOUTH COMMISSION

Youth Commission Quarterly Report

Mr. James Noel, III, Chairman, provided the Board of Supervisors with the last quarterly report of the 2002-2003 Youth Commission. He noted the Commission was involved with the Historical Committee welcoming the German Exchange Students. The members spent time planning a County-wide talent show in May. The final activity for this year's Commission was last Saturday's adopt-a-highway project on Goodwin Neck Road. Mr. Noel stated he was gratified that the Board of Supervisors agreed to provide educational scholarships to the Outstanding Youth awardees, and he expressed appreciation to Chairman Burgett and Mr. Shepperd for their encouragement and assistance to the Commission.

Commendation of the 2002-2003 Youth Commission

Chairman Burgett provided some background information on the Youth Commission which was established in York County 20 years ago in the spring of 1983 and which strives to bring the ideas and needs of the County's youth to the Board's attention. He then read excerpts from Resolution R03-68 which was adopted by the Board on June 3 commending the members of the 2002-2003 Youth Commission, and he and Vice Chairman Shepperd then presented each outgoing Commissioner with a bound and sealed copy.

Introduction of the 2003-2004 Youth Commission

Chairman Burgett introduced the following members of the 2003-2004 York County Youth Commission, and presented them with a York County pin:

|            |   |
|------------|---|
| District 1 | Ben Frisch<br>David Horres<br>Melissa McReynolds      |
| District 2 | Katherine Kross<br>Caitlyn O'Hara<br>Aneesh Venkat    |
| District 3 | Phillip Burns<br>Ian Gallagher<br>Jocelyn Shook       |
| District 4 | Julia DiVito<br>Patrick Hart<br>Ashley Tignor         |
| District 5 | Mark Carpenter<br>Kristina Hyatt<br>Chad Vaillancourt |

#### ROUTE 17 CORRIDOR IMPROVEMENT STUDY

Mr. James W. Noel, Jr., Director of Economic Development, made a presentation updating the Board on the efforts of the Route 17 Revitalization Committee. He provided the Board with a project time line leading up to the present status and plans for future actions of the committee, including a field trip to Fairfax County, holding a public meeting to receive input from property owners impacted by the project, and finalization of an implementation plan to present to the Board of Supervisors for consideration. He noted the committee is already working on compiling baseline data of the properties involved and videoing the properties and making digital pictures of the entire corridor and existing conditions. He stated the committee is looking at beautification easements, identifying and prioritizing properties for easement acquisition. The committee is also looking at a grant program to provide assistance with design, facade improvements, sign improvements, and general property improvements assistance. Mr. Noel indicated the committee is studying the concept of an overlay district for Route 17 and looking at the possibility of using revenue sharing funds for right-of-way and median landscaping. He stated great ideas are coming out of the committee, and the committee members are very excited about this project and hope to bring the Board some good recommendations.

#### CITIZENS COMMENT PERIOD

Mr. Donald Phillips, 200 Dogwood Court, spoke of the proposed King William Reservoir, noting he first addressed the Board in 1994 to state the reservoir was a bad idea for many reasons. He stated the County should look at other alternatives, that nothing has changed much since 1994; but at that time it was not apparent that the Peninsula would be needing as much water as is now projected. He stated if focus remains on the King William Reservoir, it may take a very long time to get anything done. Mr. Phillips stated it is time to move on, and work with Newport News and James City County on other alternatives.

#### COUNTY ATTORNEY REPORTS AND REQUESTS

Mr. Barnett reported that a week ago he attended a quarterly meeting of the local chapter meeting of the Virginia Association of Surveyors to discuss some legislation requested by the County, but withdrawn by Senator Williams, regarding plats being pre-approved by the County before being recorded in the Circuit Court. He noted the County might have some feedback from the Association that could shape whether or not the Board wants to work with it on a proposal for next year.

## **COUNTY ADMINISTRATOR REPORTS AND REQUESTS**

Mr. McReynolds reminded the Board of a work session scheduled for June 10 on Route 17 corridor improvements, and the next Regular Meeting scheduled for June 17.

## **MATTERS PRESENTED BY THE BOARD**

Mrs. Noll stated she was very proud of the County's Youth Commission, stating it was nice to see how they have grown in their positions over the past year. She expressed thanks to Lou Lafrenaye, a member of the Drainage Committee, who spent six hours last week touring District 2 with her looking at the way the water flows and the potential drainage problems. She stated people don't realize that when they do something to their ditches it will have an effect on someone else's. She noted some ditches were filled in, and these people will be contacted to have them cleared. Mrs. Noll thanked the staff who participated in the Relay for Life program last weekend, noting they put in a great deal of work and many hours raising over \$7,000. She encouraged women who need mammograms or other preventive tests to have them done.

Mr. Wiggins stated he, Mr. McReynolds, and Mr. Carter set a date for people who live in Lackey to participate in a meeting to do something for beautification in that area. He indicated the meeting would be held on July 16 at the Community Center at Brown Park, and the notices will be sent out soon. Various departments will be represented, and it will be a good time for the residents to get their questions answered. Mr. Wiggins then mentioned the upcoming election in November, asking the citizens to talk to their delegates serving in Richmond to find out what they plan to do for the localities, and ask them if they plan on restructuring the state's method of collecting taxes. He stated York County had to cut a lot of services, but it also had to cut the money spent on schools, drainage, potholes, and roads. He noted that if the Board hadn't placed a great deal of emphasis on the County's businesses and creating ways to help them, the Board would have had to raise the tax rate. He stated the County budget didn't survive this year by tightening the belt--it was done through good planning.

Mr. Zaremba spoke of an Article in the Daily Press on May 30 concerning the re-imposition of a toll on the Hampton Roads bridge tunnel, stating a referendum issue was soundly defeated as to whether or not there would be taxing authority for roads. The article stated that local administrators met and have come up with a plan on whether or not to reinstate tolls on the tunnel at a cost of between \$.75 and \$4.50, with the funds to be used to improve the current broken transportation system. He stated the proposal shifts the responsibility from Richmond to the local officials and governing bodies to put in place a tax, and he suggested that the citizens send emails and make telephone calls to let the Board of Supervisors know whether or not it should be given the authority to vote on a toll for the Hampton Roads bridge tunnel. Mr. Zaremba then referred to a letter to the Virginia Gazette that was printed just before the referendum where the author stated the General Assembly has abdicated its responsibility by sending the responsibility back to the localities. He stated the responsibility should be sent back to the General Assembly, and failure to do so could set a precedent to give other planning groups taxing authority. Mr. Zaremba noted this is an election year, and he suggested that a message should be sent to General Assembly encouraging the members to correct the broken tax structure and stop expecting the localities to pick up the tab. He then reminded residents of District 1 that he would be holding an update on a number of issues impacting the lower District 1 residents from 6:00 p.m. to 7:30 p.m., June 5, at York High School. He also encouraged residents to go to the polls and vote in the primary on June 10.

Mr. Shepperd indicated he wished to add to Mr. Zaremba's statement concerning the proposal for a toll on the Hampton Roads bridge tunnel. He stated he perceived this article to say if anything is done, it will have to go through the legislature. He asked the citizens to send emails to General Assembly representatives and tell them how they feel about the proposal, stating he plans to do that in his district. Mr. Shepperd then addressed the problem of graffiti, stating that in his district the power poles have graffiti on them, and they need to be taken care of. He also noted the trash on Hampton Highway is a problem, and there is need for cleanup. VDOT has an adopt-a-highway program, but Hampton Highway is already adopted. He encouraged residents to get engaged and become part of the VDOT Adopt-a-Highway program.

He stated that working together the citizens can keep the taxes low, and it allows VDOT to spend this funding on something else.

Meeting Recessed. At 7:55 p.m. Chairman Burgett declared a short recess.

Meeting Reconvened. At 8:02 p.m. the meeting was reconvened in open session by order of the Chair.

## **PUBLIC HEARING**

### **AMENDMENT TO YORK COUNTY CODE: CONCEALED WEAPONS PERMIT**

Mr. Barnett made a presentation on proposed Ordinance No. 03-16 to amend Section 16-8 of the York County Code to require the submission of fingerprints to obtain a concealed weapons permit. He indicated that Sheriff Diggs was present to answer any questions the Board might have concerning concealed weapons permits.

Mr. Zaremba asked what is considered a concealed weapon.

Mr. Barnett stated if any person carries a weapon hidden from common observation, it is a misdemeanor.

Mr. Zaremba asked if he needed a license or permit to own a gun.

Sheriff J. D. Diggs stated that anyone who can pass the background check and is 21 can purchase a gun.

Mr. Wiggins stated one of his constituents emailed the Board about getting a permit renewed and complained about having his fingerprints taken. He stated he asked Sheriff Diggs to call the gentleman, and it seems the answer to him was not sufficient. Mr. Wiggins asked Sheriff Diggs why individuals have to have their fingerprints taken for the renewal of a permit.

Sheriff Diggs indicated that a permit is good for five years. It is possible that during the five years the individual could commit a crime using a fictitious name or alias. He stated that a name check only will not show a criminal conviction.

Mr. Shepperd noted that the violation is a Class I misdemeanor, and he asked what the penalty is.

Sheriff Diggs stated the penalty is one year in jail or a \$2,500 fine or both.

Chairman Burgett called to order a public hearing on proposed Ordinance No. 03-16 which was duly advertised as required by law and is entitled:

AN ORDINANCE TO AMEND YORK COUNTY CODE SECTION 16-8 TO REQUIRE THE SUBMISSION OF FINGERPRINTS TO OBTAIN A CONCEALED WEAPONS PERMIT

There being no one present who wished to speak concerning the subject ordinance, Chairman Burgett closed the public hearing.

Mrs. Noll then moved the adoption of proposed Ordinance No. 03-16 that reads:

AN ORDINANCE TO AMEND YORK COUNTY CODE SECTION 16-8 TO REQUIRE THE SUBMISSION OF FINGERPRINTS TO OBTAIN A CONCEALED WEAPONS PERMIT

BE IT ORDAINED by the York County Board of Supervisors, this 3rd day of June, 2003, that section 16-8, York County Code, be and it is hereby amended to read and provide as follows:

**Sec. 16-8. Carrying concealed weapons.**

- (a) If any person carries about his person, hidden from common observation, (i) any pistol, revolver, or other weapon designed or intended to propel a missile of any kind by action of an explosion of any combustible material, or (ii) any dirk, bowie knife, switchblade knife, ballistic knife, razor, slingshot, spring stick, metal knucks, blackjack, or (iii) any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nun-chaku, shuriken, or fighting chain, or (iv) any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or (v) any weapon of like kind as those enumerated in this subsection, he shall be guilty of a Class 1 misdemeanor. Any weapon used in the commission of a violation of this section shall be forfeited to the Commonwealth and may be seized by an officer as forfeited, and such as may be needed for police officers, conservators of the peace, and the Division of Forensic Science shall be devoted to that purpose, subject to any registration requirements of federal law, and the remainder shall be disposed of as provided in § 18.2-310, Code of Virginia. For the purpose of this section, a weapon shall be deemed to be hidden from common observation when it is observable but is of such deceptive appearance as to disguise the weapon's true nature.
- (b) This section shall not apply to those individuals exempted from its provisions by Section 18.2-308, B and C, Code of Virginia.
- (c) Any person wishing to obtain a permit to carry a concealed handgun must apply pursuant to Section 18.2-308 (D), Code of Virginia, and shall be required to submit to fingerprinting for the purpose of obtaining the applicant's state or national criminal history record. As a condition for the issuance of a concealed handgun permit, the applicant shall submit to fingerprinting by the York County Sheriff and provide personal descriptive information to be forwarded with the fingerprints through the Central Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining criminal history record information regarding the applicant, and obtaining fingerprint identification information from federal records pursuant to criminal investigations by state and local law enforcement agencies. Upon completion of the criminal history records check and return of the fingerprint cards to the York County Sheriff by the Virginia State Police, the York County Sheriff shall promptly notify the applicant that he has 21 days from the date of the notice to request return of the fingerprint cards. All fingerprint cards not claimed by the applicant within 21 days of notification by the York County Sheriff shall be destroyed. Any optically scanned fingerprints shall be destroyed upon completion of the criminal history records check without requiring the applicant to be notified. Fingerprints taken for the purposes described in this section shall not be copied, held, or used for any other purposes.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Shepperd, Burgett  
 Nay: (0)

**MATTERS PRESENTED BY THE BOARD** (Continued)

Chairman Burgett stated he attended the VDOT Lakeside Drive public hearing which had an excellent turnout. Mr. Hicks from VDOT and Mark Carter from staff were present as well as other staff members to answer questions. He noted that all the information is available in the County offices for those who weren't able to attend. He stated that this past Memorial Day the County had a wonderful ceremony here at York Hall, and the Historical Committee did an outstanding job planning the program. He noted he also attended a Key Communicators

breakfast with Dr. Staples, the school staff, and citizens to discuss technology and what future teaching stations will look like. Also discussed were SOLs--next year seniors will have to pass them in order to graduate. Chairman Burgett stated he also received a call this afternoon asking why a toll was being proposed for the Hampton Roads bridge tunnel, and he stated it was primarily for the five projects defeated in the referendum. He stated the article in the Daily Press had errors, in that Mr. McReynolds also voted no. He stated there need to be projects that effect regional issues.

### **CONSENT CALENDAR**

Mr. Wiggins asked that Item No. 5 be removed from the Consent Calendar.

Mrs. Noll moved that the Consent Calendar be approved as amended, Item Nos. 2, 3, 4, 6, and 7, respectively.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Shepperd, Zaremba, Burgett  
Nay: (0)

Thereupon, the following minutes were approved and resolutions adopted:

### **Item No. 2. APPROVAL OF MINUTES**

The minutes of the following meetings of the York County Board of Supervisors were approved:

May 6, 2003, Regular Meeting  
May 13, 2003, Adjourned Meeting

### **Item No. 3. CHILD DEVELOPMENT RESOURCES, INC., SUPPORT AGREEMENT: Resolution R03-83**

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A SUPPORT AGREEMENT WITH CHILD DEVELOPMENT RESOURCES, INC., A NONPROFIT VIRGINIA CORPORATION, PROVIDING \$163,980 IN ANNUAL FUNDING FOR THE OPERATION OF EARLY CHILDHOOD CARE AND DEVELOPMENTAL SERVICE IN THE GRIFFIN-YEATES CENTER LOCATED ON GOVERNMENT ROAD

WHEREAS, it is in the public interest to continue to make available an early childhood educational experience and positive learning opportunities on behalf of economically disadvantaged and other qualified County citizens; and

WHEREAS, Child Development Resources, Inc., a nonprofit Virginia corporation, has provided such services by operation of a program called First Steps;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 3rd day of June, 2003, that the County Administrator be, and he is hereby, authorized to execute a Support Agreement approved as to form by the County Attorney with the Child Development Resources, Inc., for the operation of the First Steps program for the period July 1, 2003 until July 1, 2004.

### **Item No. 4. CDR/FIRST STEPS TRANSPORTATION AGREEMENT: Resolution R03-82**

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH THE YORK COUNTY SCHOOL BOARD FOR TRANSPORTATION OF CHILDREN PAR-

# TICIPATING IN THE FIRST STEPS PROGRAM

WHEREAS, the York County Board of Supervisors has a support agreement with the Child Development Resources, Inc., (CDR) for operation of the "First Steps" program, an early childhood educational and developmental program that is implemented at the Griffin-Yeates Center for children between the ages of 6 weeks and 3 years; and

WHEREAS, according to the terms of the support agreement and for the safety of the children involved, the Board has agreed to arrange with the York County School Board to provide bus transportation for enrolled children between home and the Griffin-Yeates Center for children; and

WHEREAS, costs for such transportation are the responsibility of CDR, Inc., and do not represent additional financial support;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 3rd day of June, 2003, that the County Administrator be, and he is hereby, authorized to execute for and on behalf of the Board an agreement with the York County School Board, substantially in the same form transmitted to the Board by report of the County Administrator dated April 29, 2003, including necessary amendments thereto, for the provision of transportation of children participating in the CDR, Inc., First Steps program; provided that such agreement and all such amendments shall be approved as to form by the County Attorney.

## Item No. 6. PURCHASE AUTHORIZATION: Resolution R03-94

### A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT FOR THE CONSTRUCTION OF THE ROUTE 199 FORCE MAIN PROJECT

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$30,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurement is necessary and desirable, that it involves the expenditure of \$30,000 or more, and that all applicable laws, ordinances, and regulations have been complied with;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 3rd day of June, 2003, that the County Administrator be, and hereby is, authorized to execute procurement arrangements for the following:

|                              | <u>AMOUNT</u> |
|------------------------------|---------------|
| Route 199 Force Main Project | \$348,003     |

## Item No. 7. PENINSULA REGIONAL LIVE FIRE TRAINING FACILITY TRAINING TOWER: Resolution R03-96

### A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXPEND FUNDS FOR YORK COUNTY'S SHARE OF THE PEN- INSULA REGIONAL LIVE FIRE TRAINING FACILITY TRAINING TOWER PROJECT

WHEREAS, the "partner" localities of the Peninsula Regional Life Training Facility have identified a need for the construction of a multi-story training tower; and

WHEREAS, this project is of mutual benefit to fire and rescue agencies on the Peninsula and, in particular, to York County; and

WHEREAS, necessary funds for York County's share of this project are available within the approved budget;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 3rd day of June, 2003, that the County Administrator be and hereby is authorized to expend necessary funds for York County's share of the Regional Live Fire Training Facility Training Tower project.

Item No. 5. MOSQUITO CONTROL SERVICES: Proposed Resolution R03-89 (Removed from Consent Calendar.

Mr. Wiggins asked how much the Navy is paying the County for the aerial spraying.

Mr. McReynolds stated the Navy is paying \$40,000 for the spraying services.

Discussion followed concerning the new position being established to provide the mosquito control services for the Naval Weapons Station.

Mr. Wiggins then moved the adoption of proposed Resolution R03-89 that reads:

A RESOLUTION TO APPROPRIATE \$40,000 FOR MOSQUITO  
CONTROL SERVICES FOR NAVAL WEAPONS STATION AND  
CHEATHAM ANNEX

WHEREAS, on April 16, 2002, the Board of Supervisors adopted a resolution to authorize the County Administrator to execute an agreement with the Navy for the County to provide mosquito surveillance and control as needed and to be reimbursed for time and materials for such rendered services; and

WHEREAS, the Navy has allocated \$40,000 for this program;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 3rd day of June, 2003, that \$40,000 be, and hereby is, appropriated in the General Fund to cover the cost of the Mosquito Control Service for the Navy to include a new position, equipment and supplies.

BE IT FURTHER RESOLVED that additional funds received in Fiscal Year 2003 and Fiscal Year 2004 for the Mosquito Control Services program be, and hereby are, appropriated in the General Fund to cover the costs of the program.

On roll call the vote was:

Yea: (5) Wiggins, Shepperd, Zarembo, Noll, Burgett  
Nay: (0)

## **NEW BUSINESS**

APPLICATION NO. UP-610-02, KENNETH DALE MOORE, AMENDMENT REQUEST

Mr. Carter made a presentation on proposed Resolution R03-95 to approve a minor amendment to a special use permit authorizing the establishment of a mini-storage warehouse facility on 2.6 acres along Route 134. He indicated staff is recommending denial of the request, which is to delete a block wall that would screen the warehouse bay doors.

Discussion followed on the wrought iron fence and landscaping proposed by applicant and location of the fence and its view from Route 134.

Mr. Carter stated staff's concern is not the view from Route 134 but the view from the shared driveway which is the only access to the adjacent commercial parcel.



Mrs. Noll stated she thinks Mr. Carter has a valid concern because the property is not yet developed. Blocking the view might be beneficial for someone purchasing the property for office space.

Mr. Zaremba asked if vegetation was placed there with the wrought iron fence, would it do the same thing in blocking the view.

Mr. Carter noted a dense screen of evergreens would accomplish that, but Mr. Moore has indicated he is trying to maintain a line of sight to manager's office. If there are dense evergreens, there still won't be a line of sight.

Chairman Burgett noted that when the applicant originally received the use permit, the requirement for the wall was in the permit, and now he wants to change it. He suggested that perhaps the Board should look at the whole project again. He stated Mr. Moore agreed to the use permit as conditioned by the Board of Supervisors, and he stated he could not see a compelling reason to change it.

Mr. Shepperd stated the applicant probably should have brought this up earlier, but because of the controversy at the time of the original use permit, he chose not to. Mr. Shepperd stated he did not know if the wall is absolutely essential.

Discussion followed.

Mrs. Noll moved that proposed Resolution R03-95 denied.

On roll call the vote was:

|      |     |                                 |
|------|-----|---------------------------------|
| Yea: | (4) | Noll, Wiggins, Zaremba, Burgett |
| Nay: | (1) | Shepperd                        |

#### YORK COUNTY HISTORICAL COMMITTEE MATTERS

Mrs. Anne B. Smith, Director of Community Services, made a presentation on proposed Resolution R03-80 to authorize the donation and loan of certain County-owned property, reassign space in York Hall, and transfer control of funds held by the County for the purposes of development of a York County Historical Museum.

Mr. Shepperd moved the adoption of proposed Resolution R03-80 that reads:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO DONATE AND LOAN CERTAIN COUNTY-OWNED PROPERTY,  
REASSIGN SPACE IN YORK HALL AND TRANSFER CONTROL OF  
FUNDS HELD BY THE COUNTY FOR THE PURPOSES OF DE-  
VELOPING A YORK COUNTY HISTORICAL MUSEUM

WHEREAS, on October 2, 2001, the York County Board of Supervisors adopted Resolution R01-179, which endorsed an organizational structure, Articles of Incorporation and By-laws for a York County Historical Museum Corporation; and

WHEREAS, as a result of the establishment of the Museum Board the York County Historical Committee no longer has responsibility for continuing development and operation of the York County Historical Museum; and

WHEREAS, further actions are necessary in order to clearly define the missions of these two organizations;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 3rd day of June, that the County Administrator be, and hereby is, authorized to execute the following actions:

June 3, 2003

1. As recommended in the Memorandum to the York County Board of Supervisors dated May 16, 2003, concerning the property listed in attachments titled Exhibits A, B and C: the property listed in Exhibit A is to be donated to the Museum Board; the property listed in Exhibit B is to be loaned to the Museum Board; and the property listed in Exhibit C is to remain under the stewardship of the Historical Committee.
2. Reassign the exhibit space in the basement of York Hall to the York County Historical Museum Board and the storage space currently assigned to the Yorktown Trustees to the Historical Committee as of July 1, 2003. Management of such use is according to the Board of Supervisors' *York Hall Use Policy*.
3. Transfer control of Fund 48-3-048-30318-1010 to the Museum Board in support of their efforts to develop the York County Historical Museum.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Shepperd, Burgett  
Nay: (0)

**CLOSED MEETING.** At 8:52 p.m. Mr. Shepperd moved that the meeting be convened in Closed Meeting pursuant to Section 2.2-3711(a)(1) of the Code of Virginia pertaining to appointments to Boards and Commissions; Section 2.2-3711(a)(3) regarding the acquisition of real property for public use; and Section 2.2-3711(a)(5) pertaining to a prospective business or industry not yet announced.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Shepperd, Zaremba, Burgett  
Nay: (0)

Meeting Reconvened. At 9:48 p.m. the meeting was reconvened in open session by order of the Chair.

Mrs. Noll moved the adoption of proposed Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREE-  
DOM OF INFORMATION ACT REGARDING MEETING IN CLOSED  
MEETING

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 3rd day of June, 2003, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

Yea: (5) Wiggins, Shepperd, Zaremba, Noll, Burgett

Nay: (0)

APPOINTMENT TO THE YORK COUNTY LIBRARY BOARD

Mrs. Noll moved the adoption of proposed Resolution R03-58 that reads:

A RESOLUTION TO APPOINT A REPRESENTATIVE TO THE YORK  
COUNTY LIBRARY BOARD

BE IT RESOLVED by the York County Board of Supervisors this 3rd day of June, 2003, that Charles Mitri be, and is hereby, appointed as a representative to the York County Library Board for a term of four years, such term to begin immediately and end December 31, 2006.

On roll call the vote was:

Yea: (5) Shepperd, Zaremba, Noll, Wiggins, Burgett  
Nay: (0)

REAPPOINTMENT TO THE YORK COUNTY WETLANDS BOARD

Mr. Shepperd moved the adoption of proposed Resolution R03-97 that reads:

A RESOLUTION TO REAPPOINT A MEMBER OF THE YORK  
COUNTY WETLANDS BOARD

WHEREAS, the term of Troy Maxwell on the York County Wetlands Board expires on June 30, 2003; and

WHEREAS, Troy Maxwell has indicated he wishes to be reappointed to the York County Wetlands Board;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 3rd day of June, 2003, that Troy Maxwell, be and he is hereby, reappointed to the York County Wetlands Board for a term of five years beginning on July 1, 2003, and expiring on June 30, 2008.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Shepperd, Burgett  
Nay: (0)

APPOINTMENTS TO THE COLONIAL SERVICES BOARD

Mr. Zaremba moved the adoption of proposed Resolution R03-92 that reads:

A RESOLUTION TO APPOINT YORK COUNTY REPRESENTA-  
TIVES TO THE COLONIAL SERVICES BOARD

BE IT RESOLVED by the York County Board of Supervisors this 3rd day of June, 2003, that Joanne Smith and Judith A. Cash be, and they are hereby, appointed as representatives to the Colonial Services Board for a term of three years, such terms to begin July 1, 2003, and expire June 30, 2006.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Shepperd, Zaremba, Burgett  
Nay: (0)

APPOINTMENTS TO THE YORK COUNTY HISTORICAL COMMITTEE

Mr. Wiggins moved the adoption of proposed Resolution R03-93 that reads:

A RESOLUTION TO APPOINT MEMBERS TO THE YORK COUNTY HISTORICAL COMMITTEE

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 3rd day of June, 2003, that Patricia T. Sparrer and Barbara G. Rollins be, and are hereby, appointed from associate membership to active membership on the York County Historical Committee.

On roll call the vote was:

Yea: (5) Wiggins, Shepperd, Zaremba, Noll, Burgett  
Nay: (0)

APPOINTMENTS TO THE YORK COUNTY PARKS AND RECREATION ADVISORY BOARD

Mrs. Noll moved the adoption of proposed Resolution R03-27 that reads:

A RESOLUTION TO APPOINT REPRESENTATIVES TO THE PARKS AND RECREATION ADVISORY BOARD

BE IT RESOLVED by the York County Board of Supervisors this 3rd day of June, 2003, that James E. Elder and Eva J. Williamson be, and they are hereby, appointed to the York County Parks and Recreation Advisory Board for a term of four years, such term to begin immediately and end December 31, 2007.

On roll call the vote was:

Yea: (5) Shepperd, Zaremba, Noll, Wiggins, Burgett  
Nay: (0)

APPOINTMENT TO THE WILLIAMSBURG ARTS COMMISSION

Mr. Shepperd moved the adoption of proposed Resolution R03-99 that reads:

A RESOLUTION TO REAPPOINT A YORK COUNTY REPRESENTATIVE TO THE WILLIAMSBURG ARTS COMMISSION

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 3rd day of June, 2003, that Genevieve L. Chis be, and she is hereby, reappointed to Williamsburg Arts Commission such term to begin July 1, 2003, and expire June 30, 2006.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Shepperd, Burgett  
Nay: (0)

VIRGINIA PENINSULA CHAMBER OF COMMERCE (VPCC) EVENT

Mr. Wiggins suggested the possibility of the County having a booth at the VPCC Seafest Trade Show that will be taking place in September at the Hampton Coliseum, stating he felt it would be a good place to have the Yorktown Model on display.

General discussion followed about the model being very fragile and sensitive to weather conditions. The Board did indicate that there was a large scale model of the proposed restaurant that was on a smaller platform that could be displayed along with the picture boards of the entire project that would be acceptable.

By consensus the Board agreed to sponsor a booth at the VPCC Seafest that would include the scale model of the restaurant with picture boards of the Yorktown project.

Meeting Adjourned. At 10:02 p.m. Mr. Zaremba moved that the meeting be adjourned to 6:00 p.m., Tuesday, June 10, 2003, in the East Room, York Hall, for the purpose of conducting a work session.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Shepperd, Zaremba, Burgett  
Nay: (0)

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James O. McReynolds, Clerk  
York County Board of Supervisors

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James S. Burgett, Chairman  
York County Board of Supervisors